

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-00025-MR**

MICHAEL ALEXANDER)
PORTER,)
Plaintiff,)
vs.)
MOUNTAIN VIEW CORRECTIONAL,)
Defendant.)

)

ORDER

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Michael Alexander Porter (“Plaintiff”) filed this action on February 10, 2022 against Defendant Mountain View Correctional (“Mountain View”) pursuant to 42 U.S.C. § 1983. [Doc. 1]. At the time he filed the action, he was a prisoner of the State of North Carolina incarcerated at Mountain View. [See id.]. After granting Plaintiff in forma pauperis status, the Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from March 9, 2022 to amend his Complaint in accordance with the terms of the

Court's Order.¹ [Doc. 7]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 6].

More than 30 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

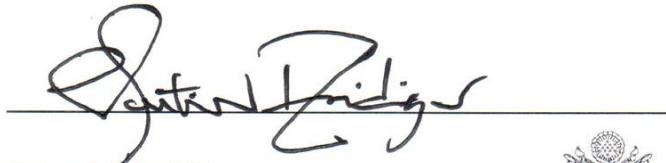
ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: April 21, 2022



Martin Reidinger
Chief United States District Judge



¹ The Order was mailed to Plaintiff at Mountain View the same day. [3/9/2022 Docket Entry]. On March 16, 2022, the North Carolina Department of Public Safety (NCDPS) notified the Court that Plaintiff was no longer incarcerated and a search of the NCDPS Offender Public Information website showed that Plaintiff was released from custody on March 6, 2022. [Doc. 8; 3/16/2022 Docket Entry]. Then, on March 23, 2022, Plaintiff filed an Administrative Remedies Statement in this action with a return address for the Wake County Detention Center in Raleigh, North Carolina. [Docs. 10, 10-1]. The Court updated the docket with Plaintiff's new address. Plaintiff has not filed any notices of address changes with the Court in this matter and the Court's initial review Order has not been returned as undeliverable.